

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**DECLARATION**

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As below named inventor, I hereby declare that:

My residence, post office addresses, and citizenship is as stated below next to my name.

I believe I am the original, and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **DEVICE AND METHOD FOR DIRECT DELIVERY OF A THERAPEUTIC USING NON- NEWTONIAN FLUIDS**, the application for which is filed herewith in the United States Patent and Trademark Office.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this declaration.

I acknowledge the duty to disclose all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**None**

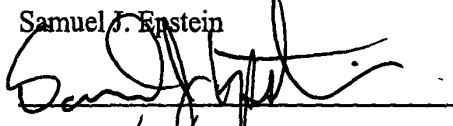
I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

02-319  
12013/47601

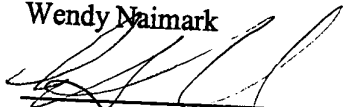
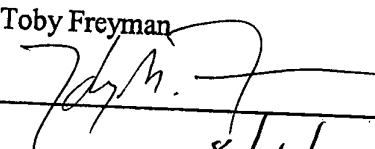
Application Number

Filing Date

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor one : Samuel J. Epstein  
Inventor's signature :   
Date : 8/6/83  
Residence : ~~79 Dalby St.~~ 141 Galen St.  
~~Newton, MA 02458~~ Watertown, MA 02472 S.  
Citizenship : United States of America  
Post Office Address : (same as above)

02-319  
12013/47601

Full name of inventor two : Wendy Naimark  
Inventor's signature :   
Date : 8/6/03  
Residence : 2 Ware Street, Apt. 306  
Cambridge, MA 02138  
Citizenship : ~~United States of America~~ CANADA WN  
Post Office Address : (same as above)  
  
Full name of inventor three : Toby Freyman  
Inventor's signature :   
Date : 8/6/03  
Residence : ~~41 Warwick Road~~ 200 WARREN ST. (TMF)  
Watertown, Massachusetts 02472 WALTHAM, MA 02453  
Citizenship : United States of America  
Post Office Address : (same as above)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Samuel J. Epstein, et al.

Serial No.: Unassigned

Filing Date: Unassigned

For: **DEVICE AND METHOD FOR DIRECT  
DELIVERY OF A THERAPEUTIC  
USING NON-NEWTONIAN FLUIDS**

Group Art Unit: Unassigned

Examiner: To Be Assigned

**Honorable Commissioner of Patents and Trademarks**  
Washington, DC 20231

**GRANT OF POWER OF ATTORNEY PURSUANT TO 37 C.F.R. § 3.71**


S I R:

Assignee hereby appoints: Charles R. Brainard (Reg. No. 21,069); John C. Altmiller (Reg. No. 25,951); Estelle J. Tsevdos (Reg. No. 31,145); Douglas E. Ringel (Reg. No. 34,416); Mark Neblett (Reg. No. 42,028); Julie Stein (Reg. No. 43,158); Neil McCarthy (Reg. No. 43,435); Fred Grasso (Reg. No. 43,644); Dainoosh Salehi (Reg. No. 46,352); Dalia Grimberg (Reg. No. 47,611); Teresa Lavenue (Reg. No. 47,737); Thomas Haag (Reg. No. 47,621); Elizabeth M. Wieckowski (Reg. No. 42,226); Brian E. Hennessey (Reg. No. 51,271); Joseph A. Coppola (Reg. No. 38,413); W. David Wallace (Reg. No. 42,210); Zeba Ali (Reg. No. 51,392); Peter J. Gafner (Reg. No. 36,517); Luke R. Dohmen (Reg. No. 36,783); Albert K. Kau (Reg. No. 40,672); Robert M. Rauker (40,782); Scott Bluni (Reg. No. 40,916); Todd P. Messal (Reg. No. 42,883); Steven A. McAuley (Reg. 46,084); and William J. Shaw (Reg. No. 43,111) to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith. All previous Powers of Attorney in connection with this application are hereby revoked. Please send all correspondence to Customer No. 23838.

and direct all phone calls to Zeba Ali at (202) 220-4200.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

August 7, 2003  
Date

  
(Reg. No. 40,916)  
Assistant Secretary

*on behalf of:*  
SCIMED Life Systems, Inc.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Samuel J. Epstein, et al.

Serial No.: Unassigned

Filing Date: Herewith

For: **DEVICE AND METHOD FOR  
DIRECT DELIVERY OF A  
THERAPEUTIC USING NON-  
NEWTONIAN FLUIDS**

Group Art Unit: Unassigned

Examiner: Unassigned

**Honorable Commissioner of Patents and Trademarks**  
Washington, DC 20231

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

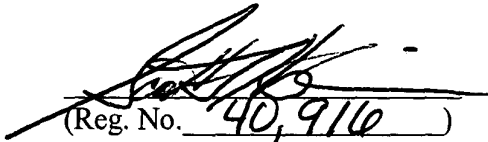
**SCIMED Life Systems, Inc.**, a corporation, certifies that it is the assignee of the entire right, title, and interest in the United States patent application identified above by virtue of an assignment from Samuel J. Epstein, Wendy Naimark and Toby Freyman. The assignment is being submitted to the United States Patent and Trademark Office for recordation, and a copy of the assignment and the recordation cover sheet are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

August 7, 2003  
Date

  
(Reg. No. 40,916)  
Assistant Secretary

on behalf of:  
Scimed Life Systems, Inc.